

**Listing of Claims:**

1. (Currently Amended) A hydraulic operation controlling unit, comprising:

an engine;

a hydraulic pump that is operated by ~~this the~~ engine;

5 a hydraulic actuator that is operated by pressurized oil that is discharged from ~~this the~~ hydraulic pump;

an engine controlling means for controlling an output of said engine; and

10 a hydraulic pump absorbing torque controlling means for controlling an absorbing torque of said hydraulic pump,

wherein:

a matching point where ~~the an~~ output torque of said engine and the absorbing torque of said hydraulic pump coincide with each other is predetermined in accordance with work ~~contents~~  
15 requirements,

said engine controlling means controls the output of said engine in such a manner that a power output properties of said engine ~~become equi-horsepower properties or approximately equi-horsepower properties~~ is constant or approximately constant  
20 in a predetermined engine speed range ~~of the engine speed~~ which includes an engine speed that corresponds to said matching point, and

said hydraulic pump absorbing torque controlling means controls the absorbing torque of said hydraulic pump ~~in such a~~ manner that the output torque of said engine that corresponds to said matching point and the absorbing torque of said hydraulic pump are made to coincide with each other by increasing or reducing the absorbing torque of said hydraulic pump in accordance with an increase and a decrease in the engine speed.

2. (Currently Amended) The hydraulic operation controlling unit according to claim 1, ~~wherein further comprising:~~

a memory means for storing a relationship between the output torque of said engine and the engine speed, and

an engine speed detecting means for detecting an actual engine speed of said engine, ~~are provided,~~ and

wherein said engine controlling means obtains a torque value that is to be outputted by said engine from the relationship between the output torque of said engine and the engine speed that are stored in said memory means and the actual engine speed that is detected by said engine speed detecting means, so that the output of said engine can be controlled based on ~~a basis of~~ the torque value that has been obtained.

3. (Previously Presented) A hydraulic excavator, comprising the hydraulic operation controlling unit according to claim 1.

4. (Previously Presented) A hydraulic excavator, comprising the hydraulic operation controlling unit according to claim 2.